

An Authorised Financial Service Provider No: 5444

Bank of China Limited Johannesburg Branch Data Privacy Policy Statement (2024)

Version Information

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The Bank of China Limited, Johannesburg Branch, including Durban Branch (“BOCJHB / the Bank”) respects the right to privacy and confidentiality of the personal information of its potential and existing customers (“you/your”). BOCJHB is committed to protecting your privacy and to ensure that your personal information is collected and used appropriately, lawfully and transparently.

1. The purpose of this policy

This privacy policy is intended to assist you to understand the type of personal information BOCJHB collects and how the Bank collects, uses, shares and protects your personal information. BOCJHB subscribes to the conditions of the Protection of Personal Information Act 4 of 2013 (POPIA) as well as the principles set out in Section 51 of the Electronic Communications and Transactions Act 25 of 2002 to make sure that you are always protected when supplying BOCJHB with personal information.

2. What is personal information?

POPIA describes personal information as information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person.

Examples of personal information include, but are not limited to -

- ✚ contact information;
- ✚ financial information;
- ✚ information relating to race;
- ✚ gender;
- ✚ sexual orientation;
- ✚ age;
- ✚ contact details;
- ✚ identity number;
- ✚ religion;
- ✚ name;
- ✚ culture;
- ✚ language; and
- ✚ nationality.

The person to whom personal information relates is referred to as the “*data subject*”.

3. What type of personal information does BOCJHB collect?

The type of information BOCJHB will collect will depend on the purpose for the collection and use. BOCJHB will only collect information that the Bank needs for that specific purpose. When personal information is collected, BOCJHB will use the information as a financial institution

Personal information collected by BOCJHB can include, but is not limited to:

- processing applications for products and services;
- effecting payments, transactions and completing instructions or requests;
- providing products and services;
- credit assessments, including conducting credit checks and setting credit limits;

- operational purposes;
- establishment, continuation and management of banking relationships and accounts;
- financial, criminal or employment information;
- contact information;
- confirm and verify your identity or to verify that you are an authorised user for security purposes;
- audit and record keeping purposes.

For one of the below mentioned purposes in connection with the service you have requested, BOCJHB has a legal or regulatory obligation to process your personal information:

- ❖ the prevention, detection, investigation and prosecution of a crime in any jurisdiction (including, without limitation, money laundering, terrorism, fraud and other financial crimes);
- ❖ identity verification, government sanctions screening and due diligence checks;
- ❖ to comply with local legislation, regulations, supervisory body requirements, judgments or court orders, government sanctions or embargoes;
- ❖ as part of BOCJHB's process regarding recruitment of employees; or
- ❖ in connection with legal proceedings.

4. How does BOCJHB collect personal information?

BOCJHB collects information either directly from the data subject, the employer or through intermediaries. In certain instances, BOCJHB may request third parties to collect on its behalf. The source from which personal information was obtained, if not directly from the data subject, will be disclosed upon request.

5. Use of personal information

After obtaining consent, the personal information collected or held by BOCJHB may be used, stored, transferred, disclosed or shared only for the purposes for which it was collected or agreed with you. This may include, but is not limited to:

- fulfilling a transaction on request of a data subject;
- to respond to your inquiries and/or complaints;
- to confirm and verify your identity or to verify that you are an authorised person for security/transactional purposes;
- for the detection and prevention of fraud, crime, money laundering, terrorist or proliferation financing, or other malpractice.

Records of personal information will be retained for the period necessary for the achievement of the purpose for which the information was collected and as prescribed by applicable legislation, regulations or supervisory body requirements. Please note that you have a right to object to the processing of your personal information for example for purposes of direct marketing, unless consent was obtained from you.

6. Methods of processing

Following the Bank's policies, procedures and systems, data processing is carried out manually or electronically, strictly related to the purposes indicated. In certain cases, the data may be accessible to external parties (such as third party technical service providers, courier services, etc.) appointed, by BOCJHB.

7. Sharing of personal information

BOCJHB will only share your personal information with third parties if you have consented to such disclosure. If consent has been obtained, the Bank may share your personal information with third parties who are involved in the delivery of services to you. Where BOCJHB discloses personal information to any third parties, the latter will be obliged to only use that personal information for the reasons and purposes it was disclosed.

BOCJHB may be obliged to share your personal information to the extent that it is required to do so by law, for the purposes of achieving the objectives of your policy/contract, in connection with any legal proceedings or prospective legal proceedings, or for the purposes of protecting the interest of customers', for example fraud prevention or to give effect to an agreement.

BOCJHB has the right to share your personal information within the BOC Group only.

8. Securing personal information

BOCJHB has appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

If you suspect that your personal information may have been breached, you must immediately report the breach to the BOCJHB Information Officer at PAIA.applications@bank-of-china.com or compliance.za@bankofchina.com.

9. Right to access and rectify personal information

You have the right to request to review your personal information collected by BOCJHB at any time to correct or update the information. If the purpose for which your personal information was requested initially does not exist anymore, for example you no longer have an active contract, you may request that the information held by BOCJHB to be removed/deleted/destroyed. However, BOCJHB can decline your request to delete the information from its records if other legislation, regulations or a supervisory body requires the continued retention thereof.

Kindly submit a request to review/rectify your personal information to the BOCJHB Information Officer at PAIA.applications@bank-of-china.com or compliance.za@bankofchina.com.

10. How to contact BOCJHB

If you have any comments or questions about this notice, please contact the BOCJHB Information Officer at PAIA.applications@bank-of-china.com or compliance.za@bankofchina.com.

11. Complaints

Should you believe that BOCJHB has not utilised your personal information in compliance with the applicable laws, you should undertake to first attempt to resolve any concerns with BOCJHB. However, if you are not satisfied with such a process, you have a right to lodge a complaint with the Information Regulator, using the following contact details:

Telephone: +27 (010) 023 5200

Email: POPIAComplaints@inforegulator.org.za

12. Changes to this privacy policy

BOCJHB reserves the right to update this data privacy policy at any time.

BOCJHB will publish the updated data privacy policy on BOCJHB's website. It is your responsibility to check the website on a regular basis.